

SUBPART C. EMERGENCY MEDICAL TRANSPORTATION

1235. Qualifications to operate ambulances; equipment; penalty

A.(1) No person or individual shall conduct, maintain, or operate an ambulance on any street, alley, or public way or place in the state unless the ambulance is staffed with a minimum of two persons, one of whom shall be a certified emergency medical technician.

(2)(a) No person or individual shall provide services in any capacity on any ambulance unless he is a certified first responder, a certified emergency medical technician, a licensed registered or practical nurse, or a physician.

(b) Except as provided in R.S. 40:1235.2(A) of this Subpart, no individual shall transport any ill or injured person on a stretcher in a vehicle that is not staffed, equipped, insured, and licensed as an ambulance under this Subpart.

(c) No individual shall provide services in any capacity on any ambulance unless he holds a cardiopulmonary resuscitation provider card issued by the American Heart Association or the American Red Cross.

(d) No individual shall transport any ill or injured person by ambulance unless the sick or injured person is attended by a certified emergency medical technician, a registered nurse, or a physician in the patient compartment.

(3)(a) The Department of Health and Hospitals shall promulgate rules and regulations establishing a list of required medical and safety equipment which shall be carried as part of the regular equipment of every ambulance. No person shall conduct, maintain, or operate an ambulance which does not carry with it, in fully operational condition, all of the equipment included in the list, which shall be consistent with the scope of practice for emergency medical technicians established in R.S. 40:1234 and which shall be based upon the recommendations of an advisory committee known as the Ambulance Standards Committee.

(b) After its initial establishment, the list shall be subject to review after four years and at any time hereafter. The list shall not be changed more often than once every four years. However, nothing in this paragraph shall prohibit the department from supplementing the list with state-of-the-art, newly developed devices, equipment, or medications approved by the Ambulance Standards Committee that may be carried in lieu of other items on the list.

(4) The Ambulance Standards Committee of the Emergency Medical Services Task Force as established by the assistant secretary of the office of public health is hereby established. The committee shall be composed of the following members and such additional members as the assistant secretary of the office of public health may appoint:

- (a) The medical director of the Department of Health and Hospitals.
- (b) The director of the bureau of emergency medical services of the Department of Health and Hospitals.
- (c) A representative of the health standards section of the Department of Health and Hospitals.
- (d) One representative, appointed by the assistant secretary of the office of public health, from each of the following:
 - (i) The Louisiana State Medical Society.
 - (ii) The American College of Emergency Physicians.
 - (iii) The American College of Surgeons.
 - (iv) The American Academy of Pediatrics.
 - (v) The Louisiana Ambulance Association.
 - (vi) The Louisiana Rural Ambulance Alliance.
 - (vii) The Louisiana Association of Nationally Registered Emergency Medical Technicians.
 - (viii) The Governor's Emergency Medical Services for Children Advisory Council.
 - (ix) Municipal third service ambulance providers.
 - (x) Rural ambulance providers.
 - (xi) Private sector ambulance providers.
 - (xii) Fire service-based ambulance providers.
 - (xiii) Hospital-based emergency medical services providers.
 - (xiv) Professional firefighters.

(xv) The Professional Firefighters Association of Louisiana.

(5) Nothing herein shall prohibit the transportation of an injured or ill person in an ambulance or industrial ambulance staffed by persons with less than the required qualifications in an emergency situation where there is no reasonable expectation of the prompt response by an ambulance staffed by persons with the required qualifications.

(6) Nothing herein shall prohibit a firefighter, law enforcement officer, or good Samaritan from assisting in ambulance at the scene of an emergency or while transporting a patient to a medical facility at the request of the emergency medical technician.

(7) Nothing herein shall prohibit an individual without the required qualifications from riding in an ambulance for the purpose of training, observation, or continuing education.

B.(1) Repealed by Acts 2001, No. 625, §2.

(2) Nothing in this Subpart shall be construed to prohibit the transportation of an injured or ill individual in an invalid coach in an emergency situation where there is no reasonable expectation of the prompt response of an ambulance or industrial ambulance.

C. The department shall conduct or may authorize another public agency to conduct an inspection of any ambulance service provider or invalid coach provider and to report any violation to the appropriate district attorney's office.

D.(1) The provisions of this Section shall not apply:

(a) To ambulances operated by a federal agency of the United States government.

(b) Repealed by Acts 2001, No. 625, §2.

(c) To ambulances which are rendering assistance to licensed ambulances in the case of a major disaster, be it natural or manmade, in which the licensed ambulances are insufficient or otherwise not capable of coping.

(d) Repealed by Acts 2001, No. 625, §2.

(e) To ambulances which are operated from a location outside of the state to transport patients from a location outside of the state to a location inside the state or to transport patients from a medical facility inside to a point outside the state, but no such ambulance shall transport any patient point to point within the state except in the case of disaster as outlined in this Subpart.

(2) This provision shall not apply to individuals who are employed to function on licensed air ambulances solely to act as pilots.

(3) The provisions of this Section shall not apply to industrial ambulances providing transportation to employees who become sick or injured during the course of their employment from a job site to the nearest appropriate medical facility.

E. The provisions of this Section shall apply to all parishes or municipalities except those electing not to comply as expressed to the department in a written resolution by the governing body of such parish or municipality. If any parish or municipality elects to be excluded from this Section, it may later elect to be included by resolution. The election of any parish to be included or excluded from this Section shall in no way affect the election of any municipality to be included or excluded.

F. Whoever violates this Section shall be guilty of a misdemeanor and upon conviction shall be fined not more than five hundred dollars or imprisoned for not more than thirty days or both. The penalty prescribed by this Section shall be doubled for any subsequent offense.

Acts 1977, No. 626, §2. Amended by Acts 1978, No. 469, §1; Acts 1986, No. 632, §1; Acts 1987, No. 30, §1, eff. July 9, 1987; Acts 1997, No. 913, §2; Acts 1997, No. 982, §1, eff. July 10, 1997; Acts 2001, No. 25, §§1 and 2; Acts 2003, No. 751, §1, eff. June 27, 2003.